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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Shuhei IIZUKA et al

Date: August 25, 2003

Serial No.: 10/091,626

Group Art Unit: 2878

Filed: March 6, 2002

Examiner: Que Tan Le

For: LIGHT SCANNING PROBE APPARATUS USING LIGHT OF LOW COHERENCE

Mail Stop Non-Fee Amentment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**  
**REMARKS/ARGUMENT**

This Response is filed in reply to the Restriction Requirement mailed August 4, 2003. Applicant elects Invention I: Claims 1-30, drawn to an optical scanning probe device having a flexible sheath, a flexible shaft and a housing, classified in class 250, subclass 201.3.

Applicant reserves the right to file a divisional application directed to the subject matter covered in the non-elected claims 31-78.

Early and favorable consideration of the present application is earnestly solicited.

If this communication is filed after the statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 25, 2003

Max Moskowitz

Name of applicant, assignee or  
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Signature

August 25, 2003

Date of Signature

Respectfully submitted,

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